**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No :23808 of 2007**

**DATED:07-11-2007**

**BETWEEN:**

Avagadda Jogulu.

**..... PETITIONER**

**AND**

The District Collector,
Visakhapatnam District & 3 others.

**.....RESPONDENTS**

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**ORDER:**

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. The writ petitioner has asserted that the State Government's Revenue administration in terms of Board Standing Order No. 21 has granted agricultural D-Form patta in land situated at Sy.No.260 situated at Pendurthy, Visakhapatnam and that the writ petitioner has been in occupation and possession of the agricultural land from the year 1991 onwards and he has also raised cultivating lands thereon and living there. But, however, the writ petitioner asserts that the Government has proposed to construct houses under 'Indiramma Pathakam' to the weaker section people and started certain work adjacent to his land and hence the writ petitioner has instituted this writ petition seeking the following relief :

> "For the reasons stated in the accompanying affidavit the petitioner herein prays that this Hon'ble Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondent officials in trying to dispossess the petitioner and also

interfering with his peaceful possession and enjoyment over the land admeasuring Ac.0.70 cents situated in Sy.No.260 of Pendurthy, Visakhapatnam".

3. It is not in dispute that either without cancelling the D-Form patta granted in favour of the writ petitioner or by acquiring the land in question, the writ petitioner cannot be dispossessed from the land in question granted to him by way of patta by the Revenue administration of the State Government. Therefore, the respondents are directed that without following the due process under law the writ petitioner be not dispossessed from out of the land over which D-form patta was granted in his favour on 22.02.1991.

4. With the direction as above, the writ petition stands disposed of. No costs.

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**V.ESWARAIAH,J**

07th November, 2007.
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